



1 jurisdiction.

2 Initially, Plaintiff asserted several claims against multiple Defendants. See ECF  
3 No. 10. The District Judge adopted Findings and Recommendations, ECF No. 18, dismissing all  
4 of Plaintiff's claims, some with leave to amend, and permitting Plaintiff's Fourth Amendment  
5 claim against Defendant Endecott to proceed. See ECF No. 20. In response, Plaintiff filed a notice  
6 of non-opposition stating she wished to proceed on the Fourth Amendment claim against  
7 Defendant Endecott and not amend the additional claims. See ECF No. 21. The Court will  
8 construe Plaintiff's filing as a voluntary dismissal of the other claims and Defendants. See Fed. R.  
9 Civ. P. 41(a)(1)(A)(i). The remaining claims and Defendants will be dismissed, and the  
10 complaint will proceed on Plaintiff's Fourth Amendment claim against Defendant Endecott.

11 In the surviving claim, Plaintiff asserts that her daughter "was seized from her  
12 school [by Defendant Endecott] and a police officer, without a warrant, probable cause, exigent  
13 circumstances, or parental consent." ECF No. 10, pg. 48. The Court concludes that it has subject  
14 matter jurisdiction, and that the complaint is appropriate for service by the United States Marshal  
15 without pre-payment of costs. If Plaintiff desires service of process by the United States Marshal  
16 without pre-payment of costs, Plaintiff must comply with the requirements outlined below.  
17 Plaintiff is warned that failure to comply with this order, or otherwise effect service pursuant to  
18 Federal Rule of Civil Procedure 4, may result in dismissal of the action for lack of prosecution  
19 and failure to comply with court rules and orders. See Local Rule 110.

20 Accordingly, IT IS HEREBY ORDERED that:

21 1. Defendants Shasta County Health and Human Agency, Cumpston,  
22 Bigelow, Martinez, Shasta County Counsel, Fisher, and Ayers, are DISMISSED from this action  
23 on Plaintiff's notice at ECF No. 21, which is construed as a notice of voluntary dismissal.

24 2. The Clerk of the Court is directed to TERMINATE Shasta County Health  
25 and Human Agency, Cumpston, Bigelow, Martinez, Shasta County Counsel, Fisher, and Ayers as  
26 parties to this action.

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1           3. The Clerk of the Court shall issue a summons in a civil case, the  
2 undersigned's new case documents, and an order setting this matter for an initial scheduling  
3 conference.

4           4. The Clerk of the Court shall send Plaintiff the summons, one USM-285  
5 form, and a copy of the complaint.

6           5. Within 15 days from the date of this order, Plaintiff shall complete the  
7 summons by indicating the addresses of the named Defendant and shall submit to the United  
8 States Marshal at the address indicated below the following documents:

- 9           a. The completed summons.  
10          b. One completed USM-285 form for Defendant Endecott.  
11          c. Two copies of the complaint.  
12          d. One copy of the Court's initial scheduling conference order  
13            issued herewith.

14          6. Within 20 days of the date of this order, Plaintiff shall file a notice  
15 indicating that the documents described above have been submitted to the United States Marshal,  
16 or a notice that Plaintiff intends to serve the summons and complaint without assistance from the  
17 United States Marshal.

18          7. If Plaintiff seeks the assistance of the United States Marshal, the United  
19 States Marshal is directed to serve all process without pre-payment of costs not later than 60 days  
20 from the date of this order, such service of process to be completed by serving a copy of the  
21 summons, complaint, and initial scheduling conference order on the Defendants at the addresses  
22 provided by Plaintiff.

23          8. The Clerk of the Court is directed to serve a copy of this order on the  
24 United States Marshal at 501 "I" Street, Sacramento, CA, 95814.

25 Dated: August 20, 2025



DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE